

## Article - Alcoholic Beverages

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§2-130. IN EFFECT

- (a) There is a manufacturer off-site permit.
- (b) The Commission may issue the permit to a holder of any of the following licenses who meets the requirements of this section:
  - (1) Class 1 distillery license;
  - (2) Class 3 winery license;
  - (3) Class 4 limited winery license;
  - (4) Class 5 brewery license;
  - (5) Class 7 micro-brewery license;
  - (6) Class 8 farm brewery license; or
  - (7) Class 9 limited distillery license.
- (c) During an event listed in subsection (e) of this section, the permit holder may:
  - (1) provide samples and sell products to a consumer that are manufactured by the permit holder under the permit holder's license;
  - (2) provide to a consumer a sample that may not exceed:
    - (i) 1 fluid ounce for each offering of wine;
    - (ii) 1 fluid ounce for each offering of beer; or
    - (iii) 0.25 fluid ounce for each offering of liquor;
  - (3) sell to a consumer for on-premises consumption; and
  - (4) sell to a consumer for off-premises consumption.

(d) The permit holder shall have present at least one individual who is certified by an approved alcohol awareness program while providing samples or selling an alcoholic beverage during an event.

(e) The permit may be used:

(1) at the following events:

(i) a county agricultural fair;

(ii) the Maryland State Agricultural Fair;

(iii) a farmer's market that is listed on the Farmer's Market Directory of the Maryland Department of Agriculture; and

(iv) a nonprofit beer, wine, and liquor festival under § 2–131 of this subtitle; and

(2) for not more than 32 additional events in 1 year that have an activity:

(i) that has a primary purpose other than the sale and promotion of alcoholic beverages; or

(ii) for which the participation of the permit holder is secondary.

(f) The permit may not be used for more than nine events in 1 year at any individual location.

(g) An applicant for a permit shall complete an application on a form that the Commission authorizes.

(h) The permit holder shall notify the Commission of the permit holder's intention to attend an event within a period of time that the Commission determines on the form that the Commission authorizes.

(i) The Commission may adopt regulations to require the permit holder to notify the local licensing board of the jurisdiction where the event is being held of the permit holder's intention to attend the event.

(j) The annual permit fee is \$100.

§2–130. // EFFECTIVE DECEMBER 31, 2022 PER CHAPTERS 359 AND

(a) In this section, “limited permit holder” means a person who holds a brewing company off-site permit and also holds a manufacturer’s license for:

- (1) a Class 5 brewery that produces less than 3,000 barrels a year;
- (2) a Class 7 micro-brewery that produces less than 3,000 barrels a year; or
- (3) a Class 8 farm brewery.

(b) There is a brewing company off-site permit.

(c) The Comptroller may issue the permit to:

- (1) a Class 5 brewery;
- (2) a Class 7 micro-brewery; or
- (3) a Class 8 farm brewery.

(d) During an event listed in subsection (f) of this section, a limited permit holder may:

- (1) provide to a consumer a sample of beer that has been produced by the limited permit holder and that may not exceed 1 fluid ounce for each offering;
- (2) sell to a consumer up to 288 ounces of beer that has been produced by the limited permit holder for off-premises consumption; and
- (3) except for farmers’ markets listed in subsection (f) of this section, sell to a consumer up to 288 ounces of beer that is produced by the limited permit holder for on- and off-premises consumption.

(e) While selling beer or providing samples of beer at a farmers’ market as provided in subsection (f) of this section, a limited permit holder shall have an agent present who is certified by an approved alcohol awareness program.

(f) Except as otherwise authorized under subsection (g) of this section, a limited permit holder may use the brewing company off-site permit only:

- (1) at the Montgomery County Agricultural Fair;

- (2) at the Maryland State Agricultural Fair;
- (3) at the Frederick County Agricultural Fair;
- (4) at the Harford County Farm Fair;
- (5) one night each week from June through November at the North Beach Friday Night Farmers' Market;
- (6) for up to seven events, at an event that has as its major purpose an activity:
  - (i) that is other than the sale and promotion of alcoholic beverages; and
  - (ii) for which the participation of a brewing company is a subordinate activity; and
- (7) at other farmers' markets that are listed on the Farmers' Market Directory of the Maryland Department of Agriculture.
- (g) A person that holds a brewing company off-site permit may use the permit at a nonprofit beer, wine, and liquor festival that:
  - (1) has as its primary purpose the promotion of Maryland beer, wine, and liquor; and
  - (2) is authorized by a local licensing board under § 2-131 of this subtitle.
- (h)
  - (1) Within a time period that the Comptroller determines, the permit holder shall notify the Comptroller of the permit holder's intention to attend an off-site event.
  - (2) The notice shall be on a form that the Comptroller provides.
- (i) The permit is valid for 1 year.
- (j) An applicant shall submit an application for the permit to the Comptroller on a form that the Comptroller provides.
- (k) The permit fee is \$100.

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